

## **Remarks**

As stated above, Applicants appreciate the Examiner's thorough examination of the subject application and request reexamination and reconsideration of the subject application in view of the following remarks.

As of this response, claims 1-31 are pending in the subject application, of which claims 1, 15, 22, and 26-31 are independent claims.

### ***Claim Rejections – 35 USC §112***

Claim 11 was rejected as being indefinite for the usage of the term "intrinsic." Applicants respectfully submit that the meaning of term "intrinsic" has not been modified from its conventional meaning (i.e., of or relating to the essential nature of a thing; inherent. American Heritage Dictionary). As such, the allotted playback duration is determined based upon rights that are inherent in the device. This is distinguishable from the scope of claim 12, wherein the allotted playback duration is determined based upon data received from the content rights server (e.g., rights received from an outside source). As such, Applicants respectfully submit that, consistent with conventional usage of the term "intrinsic," claim 11 is definite pursuant to 35 USC §112. Withdrawal of this rejection is respectfully requested.

### ***Claim Rejections – 35 USC §102***

Claims 1-5 and 10-31 were rejected under 35 USC §102(e) as being anticipated by Medvinsky (US Patent Application Publication 2005/0022019). An affidavit under 37 CFR §1.131, signed by a co-inventor of the subject matter of each of the claims of the subject application, accompanies this response. The accompanying affidavit establishes the conception and reduction to practice of the subject matter of the rejected claims prior to the July 5, 2003, i.e., the effective date of Medvinsky. As such, Medvinsky is removed as an appropriate reference for rejecting the claims herein. Withdrawal of this rejection is respectfully requested in view of the accompanying affidavit.

## ***Claim Rejections – 35 USC §103***

Claims 6-9 were variously rejected under 35 USC §103(a) as being obvious over the combined teachings of Medvinsky in view of Belknap (US 5,586,264) and Medvinsky in view of Blonder (US 5,708,422). As discussed above, an affidavit under 37 CFR §1.131 antedating Medvinsky accompanies this response. As such, Medvinsky is removed as a citable reference for rejecting the claims of the subject application. Applicants respectfully submit that Belknap and/or Blonder (alone or in combination with one another) are insufficient to anticipate and/or render obvious the subject matter of independent claim 1, upon which claims 6-9 ultimately depend. As such, Applicants respectfully request the withdrawal of the rejections under 35 USC §103(a).

## ***Conclusion***

In light of the amendments and remarks herein, Applicants respectfully submit that the subject application is in condition for allowance. Applicants therefore respectfully request early allowance of the subject application.

While no additional fees are believed to be necessitated by this response, in the event any additional fees are payable, please charge our Deposit Account No. 50-2324 as necessary.

The Examiner is invited to telephone Applicants' attorney (@617-305-2143) to facilitate prosecution of this application.

Respectfully submitted,

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Date

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